

T H E T O W N O F MERRIMAC

56911 State Highway 113 – P.O. Box 115
Merrimac, WI 53561

MINUTES OF THE TOWN BOARD MEETING Wednesday, October 5, 2011

Present were Steve Peetz, Chair, Supervisor Terry Frosch and Tim McCumber, Town Administrator & Clerk – Treasurer. John Gaedke is currently on active duty for the Air Force supporting operations in Spain and will be back next month.

Chairman Peetz called a **PUBLIC HEARING** to order regarding Public Hearing will be conducted to consider a petition to rezone two parcels of land from the Agriculture District to the Single Family Residential District of the Town of Merrimac Zoning Ordinance. Petition by Dan and Daleen Heffron, 2000 Prairie Street, Suite 100, Prairie du Sac, WI 53578. McCumber report. Richard Grant spoke in favor. No one appeared in opposition. No one spoke in favor, nor as interest may appear. Motion by Peetz, second by Frosch, to adjourn the public hearing. Motion passed.

Chairman Peetz then called the **TOWN BOARD MEETING** to order. McCumber confirmed the meeting had been properly noticed. The board considered approval of minutes of the town board meeting of September 7, 2011. Motion by Peetz to approve, second by Frosch. Motion passed. The board reviewed the financial reports and approval of bills. Motion by Peetz to approve, second by Frosch. Motion passed. Under **PUBLIC COMMENT**, Grant spoke regarding trash routinely is being dropped off at the intersection of State Hwy. 78 and County & U. He learned that a resident in the Town of Caledonia has made an arrangement with Tim's Trucking to pick up their trash. Since that was brought to their attention, the resident is now bringing the garbage to the Village of Merrimac. Grant says there is still garbage being left at that intersection by other parties. Peetz asked McCumber to contact Tim's Trucking regarding the situation. Grant spoke in support of appointing Mr. Purcell to the Zoning Commission based on his performance as an alternate. Mary Carol Solum, Solum Lane, spoke as a member at-large of the Restoration Advisory Board (RAB) and said she is surprised that Paul Herr has been replaced after serving 8 years on the RAB. She stated he is qualified as a hydrologist and geologist and the RAB needs him to help finish the work. She said the requirements to serve on RAB are to be a stakeholder and he meets that criteria as a land owner and taxpayer. She doesn't think that his living in Madison should be a factor in removing him from the position of representing the town. Frank Olah, Weigand's Bay, also appeared in favor of leaving Herr on the RAB. His tax requirements should be a factor for keeping him on the RAB and believes he is the best qualified person to represent the Town of Merrimac. Grant said he appointed to Herr to the RAB with the understanding that he was a resident of the town. He has no opinion about the matter, but he thinks the town board was under the impression Herr was a resident. Herr, City of Madison, also appeared stating he does not feel that he has reported to the town adequately, but feels he should be the town's representative and believes he is holding the Army's consultants accountable. He also spoke with Mr. Hamilton and was told that Hamilton was willing to share the position. Grant interrupted and stated that he thinks we are entering a point where it this matter could be violating open meetings law. Solum said Bill Wenzel is a backup in the Village of Prairie du Sac. Olah stated he thinks the criteria of living here is not a good policy as they have a vested interest in the town whether they live here or not. McCumber informed the group that the board's decision last month had no bearing on Mr. Herr's performance or qualifications, but had everything to do with the determination Mr. Herr is not a voting resident of the town. Under **CORRESPONDENCE**, the board received letter from Paul Herr requesting a residency waiver to serve on the Restoration Advisory Board (RAB); notification from the Alliance of Regulatory Coordination commending the town for promoting public safety as part of the WI Building Safety Network, notice of a meeting at Devil's Lake State Park regarding a management plan update for Devil's Lake and Mirror Lake State Parks. Under **REPORTS AND ANNOUNCEMENTS OF OFFICERS AND COMMITTEES**, McCumber reported the town had received an opinion of suitability letter from General Engineering regarding the design plan for a municipal water system as proposed by the United States Department of the Army. He also reported that the town had requested technical assistance in reading the Alternative Feasibility Study submitted to the Wisconsin Department of Natural Resources (DNR) for the proposed water system. McCumber recommended a hydro-geologist with BT Squared out of Madison and they had approved that request. There was no **OLD BUSINESS**. Under **NEW BUSINESS**, the board discussed a recommendation from the Planning & Zoning Commission to approve a

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petition to rezone two parcels of land from the Agriculture District to the Single Family Residential District of the Town of Merrimac Zoning Ordinance. Petition by Dan and Daleen Heffron, 2000 Prairie Street, Suite 100, Prairie du Sac, WI 53578. McCumber reported this request comes after modifying the town's development plan to recognize residential development on the lake side of State Highway 78. The request meets the modified plan and the Commission recommends approval. Motion to approve by Frosch, second by Peetz. Motion passed. The board considered a recommendation from the Planning & Zoning Commission to approve a Certified Survey Map to create 4 lots on tax parcels 0172-00000 and 0201-00000 subject to rezone approval. Application by Dan and Daleen Heffron, owners, 2000 Prairie Street, Suite 100, Prairie du Sac, WI 53578. McCumber reported the CSM meets the development plan and read the zoning commission's conditions for approval, particularly soil reclamation, no vehicular access to Hwy. 78 and a vegetation buffer blocking views from the highway corridor. Dan Heffron said he agrees with the conditions. Heffron also added that they are donating lands to the cemetery where there was an existing encroachment. Motion to approve by Peetz, second by Frosch, motion passed. Next was a discussion regarding the appointment of Dan Purcell to the Planning & Zoning Commission to replace Ron Lestikow. McCumber reported Lestikow resigned from the commission and Purcell has served several years as an alternate. Motion by Frosch to approve, second by Gaedke. Motion passed. There was then discussion regarding a request from Wisconsin Department of Natural Resources (DNR) to renew a 20-year lease for the Moon Valley boat landing. McCumber reported the DNR leases the right-of-way easement granted to the town for a portion of the boat landing that is old Highway 78. A lot of research went into correctly identifying the leased areas. Peetz made a motion to include the language from the original lease "for consideration of \$1" and approve the renewal. Second by Frosch. Motion passed. The board finally considered the proposed 2012 town budget. McCumber reported the proposed fire and ambulance budgets decreased along with state shared revenue. We are able to keep the tax levy the same as last year without increasing projections for room tax. A motion by Peetz to have the town budget hearing and a special town meeting to approve the levy before the November 2nd meeting, second by Frosch. Motion passed.

Motion to adjourn by Frosch, second by Peetz. Motion passed.

Town Officers: Steve Peetz, Chair, 493-2106; Terry Frosch, Supervisor, 493-2891; John Gaedke, 356-2301; Supervisor, 493-2891; Tim McCumber, Town Administrator and Clerk-Treasurer, 493-2588 (**please, no calls at residence except for emergencies**). Assessor: Steve Mahlik, Equity Appraisal, LLC, 608/826-0009. Email address: townmerr@merr.com. Building permits are required in the Town of Merrimac. Contact Tim McCumber for permits and zoning regulations (tnadmin@merr.com). Town website: <http://www.tn.Merrimac.wi.gov>. Special Garbage Collection requests to Peterson Sanitation: 608/524-6603.